

Notice of Allowability

Application No.

10/713,957

Examiner

Aaron S. Austin

Applicant(s)

ESTES ET AL.

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 4/40/06.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 5/5/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JENNIFER C. MCNEIL
SUPERVISORY PATENT EXAMINER
5/12/06

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony Campbell on May 5, 2006.

The application has been amended as follows:

IN THE CLAIMS:

Claim 1, line 4, after "a plurality of male electrical plugs" insert --, one of said male electrical plugs--.

Claim 1, line 6, after "a plurality of upper flanges" insert --, one of said upper flanges--.

Claim 1, line 8, after "a plurality of female electrical sockets" insert --, one of said female electrical sockets--.

Claim 1, line 10, after "a plurality of lower flanges" insert --, one of said lower flanges--.

Claim 1, line 13, replace "contact" with --contacts--.

Claim 11, line 4, after "a plurality of male electrical plugs" insert --, one of said male electrical plugs--.

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Claim 11, line 6, after "a plurality of upper flanges" insert --, one of said upper flanges--.

Claim 11, line 8, after "a plurality of female electrical sockets" insert --, one of said female electrical sockets--.

Claim 11, line 10, after "a plurality of lower flanges" insert --, one of said lower flanges--.

Claim 11, line 10, after "connected to" insert --each of--.

Claim 11, line 18, delete "process".

Claim 11, line 18, replace "contact" with --contacts--.

Claim 20, line 2, delete "process".

Claim 20, line 2, replace "tube" with --tubes--.

Claim 20, line 5, after "a plurality of male electrical plugs" insert --, one of said male electrical plugs--.

Claim 20, line 7, after "a plurality of upper flanges" insert --, one of said upper flanges--.

Claim 20, line 10, after "a plurality of female electrical sockets" insert --, one of said female electrical sockets--.

Claim 20, line 10, after "connected to" insert --each of--.

Claim 20, line 12, after "a plurality of lower flanges" insert --, one of said lower flanges--.

Claim 20, line 12, after "connected to" insert --each of--.

Claim 20, line 13, replace "flange" with --flanges--.

Claim 20, line 25, delete "process".

Claim 20, line 25, replace "contact" with --contacts--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or provide motivation to form a display tree comprising a composition of elements structurally related as set forth in claim 1. Specifically, the prior art fails to teach a plurality of substantially disc-shaped shelves in combination with a plurality of shelf electrical outlets and shelf electrical contacts, a plurality of support tubes including upper and lower flanges, and male and female sockets connected to the respective ends of the support tubes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In particular, Baugh et al. (US Patent No. 3,752,407) is cited as disclosing a Christmas tree ornament and decorative device comprising a disc-shaped electric light ornament and decoration device for Christmas trees including electrical

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outlets. Similarly, Sangalli, Jr. (US Patent No. 5,422,801) discloses a plurality of light rings for mounting on a Christmas tree trunk including electrical outlets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron S. Austin whose telephone number is (571) 272-8935. The examiner can normally be reached on Monday-Friday: 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jennifer McNeil can be reached on (571) 272-1540. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ASA


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5/12/06